



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

AFD
JFW

Applicant : David D. Koester et al.

Appeal No. _____

Serial No.: 09/751,669

Filed : December 29, 2000

Group Art Unit: 2652

For : MACHINING ACTUATOR PERIPHERY
TO REDUCE RESONANCE VARIATION

Examiner: Tianjie
Chen

Docket No.: S01.12-0697/STL 9565

**THIRD REQUEST FOR REINSTATEMENT OF APPEAL UNDER
M.P.E.P. §1207.04**

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I HEREBY CERTIFY THAT THIS PAPER IS
BEING SENT BY U.S. MAIL, FIRST CLASS,
TO THE COMMISSIONER OF PATENTS AND
TRADEMARKS, WASHINGTON, D.C. 20231,
THIS

19 DAY OF January, 20 06

David D. Brush

PATENT ATTORNEY

Sir:

Applicants respectfully request reinstatement of the Appeal in the above-identified patent application. Applicants respectfully request that the PTO either allow this case or forward this case to the Board for review.

Applicants amended the claims only once, after the first substantive Office Action. Yet this case has seen:

1. Restriction Requirement
2. 5 Office Actions
3. 3 Re-Openings of Prosecution after Appeal
4. 3 Requests for re-instatement of Appeal
4. 4 Appeal Briefs

WESTMAN, CHAMPLIN & KELLY, P.A.

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